**PATENT** 

## PENDING CLAIMS AS AMENDED

Please amend the claims as follows:

1. (Currently Amended) A method for transmitting data comprising the steps of:

transmitting a message indicative of the rate of said data prior to and independent of data transmission and the time interval over which said data will be transmitted at said rate; and

transmitting said data at said rate during said time interval using one data transmission channel;

wherein said message comprises:

an indication of the frame type;

an indication of said rate of said data; and

an indication of said time interval;

wherein said frame type indicates at least one of link schedule, channel active set and erasure-indicator-bit.

## 2. - 3. (Cancelled)

4. (New) An apparatus for transmitting data comprising:

a transmitter for transmitting a message indicative of the rate of said data prior to and independent of data transmission and the time interval over which said data will be transmitted at said rate;

wherein said transmitter further configured for forming said message to include at least an indication of the frame type, an indication of said rate of said data; and an indication of said time interval;

wherein said frame type indicates at least one of link schedule, channel active set and erasure-indicator-bit.

Attorney Docket No.: PA451DIV2

Customer No.: 23696